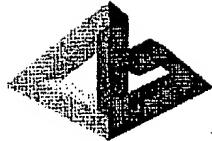


RECEIVED  
CENTRAL FAX CENTER

001/014

AUG 03 2004



OFFICIAL

LAVA GROUP  
DEFINING CURRENT VALUE

## FACSIMILE TRANSMITTAL

**MAIL STOP** : Non-Fee Amendment**FROM** : Gregory S. Smith**EXAMINER** : PRIETO, Beatriz**Faxing DATE**: Aug. 3, 2004**FACSIMILE** : (703) 872-9306**LAVA GROUP FILE #**: 19011.1350**SUBJECT**: Application Serial No 09/679,688 Filed October 5, 2000

## This Transmission Includes the Following Items

Item being transmitted	Pages
<input checked="" type="checkbox"/> Transmittal Form	1
<input checked="" type="checkbox"/> Fee Transmittal Form	1
<input checked="" type="checkbox"/> PTO 2038 Credit Card Authorization	1
<input checked="" type="checkbox"/> Petition for Extension of time (2 copies)	2
<input checked="" type="checkbox"/> Response to Office Action	8
<b>Total Pages Including Cover Sheet</b>	
14	

COMMENTS:

TWO RAVINIA DRIVE, SUITE 790  
ATLANTA, GEORGIA 30346TELEPHONE: 770-804-9070  
FACSIMILE: 770-804-0900MOBILE: 404-643-3430  
EMAIL: gsmith@lavagroup.net



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number	09/679,688
Filing Date	October 5, 2000
First Named Inventor	LIPSCOMB et al.
Art Unit	2142
Examiner Name	Prieto, Beatriz
Attorney Docket Number	26001.1001

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> PTO 2038 Credit Card Authorization
--	--	--

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lava Group Law by Smith & Frohwein, LLC		
Signature			
Date	Aug. 3, 2004		

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Gregory S. Smith		
Signature		Date	Aug. 3, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 210.00)
**Complete If Known**

Application Number	09/679,688
Filing Date	Oct. 5, 2000
First Named Inventor	LIPSCOMB, Kenneth O.
Examiner Name	PRIETO, Beatriz
Art Unit	2142
Attorney Docket No.	26001.1001

**METHOD OF PAYMENT (check all that apply)**
 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number   
Deposit Account Name

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 770	2001 385	2051 65	65	Surcharge - late filing fee or oath	
1052 50	2052 25	2052 25	25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	1053 130	130	Non-English specification	
1812 2,520	1812 2,520	1812 2,520	2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	1804 920*	920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	1805 1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	2251 55	55	Extension for reply within first month	210.00
1252 420	2252 210	2252 210	210	Extension for reply within second month	
1253 950	2253 475	2253 475	475	Extension for reply within third month	
1254 1,480	2254 740	2254 740	740	Extension for reply within fourth month	
1255 2,010	2255 1,005	2255 1,005	1,005	Extension for reply within fifth month	
1401 330	2401 165	2401 165	165	Notice of Appeal	
1402 330	2402 165	2402 165	165	Filing a brief in support of an appeal	
1403 290	2403 145	2403 145	145	Request for oral hearing	
1451 1,510	1451 1,510	1451 1,510	1,510	Petition to institute a public use proceeding	
1452 110	2452 55	2452 55	55	Petition to revive - unavoidable	
1453 1,330	2453 665	2453 665	665	Petition to revive - unintentional	
1501 1,330	2501 665	2501 665	665	Utility issue fee (or reissue)	
1502 480	2502 240	2502 240	240	Design issue fee	
1503 640	2503 320	2503 320	320	Plant issue fee	
1460 130	1460 130	1460 130	130	Petitions to the Commissioner	
1807 50	1807 50	1807 50	50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	1806 180	180	Submission of Information Disclosure Stmt	
8021 40	8021 40	8021 40	40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	2809 385	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	2810 385	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	2801 385	385	Request for Continued Examination (RCE)	
1802 900	1802 900	1802 900	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3) (\$ 210.00)</b>					

\*or number previously paid, if greater; For Reissues, see above

(Complete if applicable)			
Name (Print/Type)	Gregory Scott Smith	Registration No. (Attorney/Agent)	40,819
Signature		Date	Aug. 3, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.